

COURT DECISION HALTS INCREASE OF POWER RATES

Restraining Order Issued by Jurist Scores Victory For Consumers.

Users of electric power and current in South Bend and the entire St. Joseph valley won a signal victory against increased rates when Judge William B. Hale of the Elkhart superior court, gave his decision Thursday morning granting a temporary injunction against the enforcement of the higher rate schedule approved by the public service commission of Indiana.

Judge Hale held in substance that the public service commission exceeded its authority in authorizing the new rates to go into effect less than 30 days from the time that the new schedules are filed with the service commission. Judge Hale made a number of important decisions bearing on the case, many of which are without precedent.

Power users of South Bend were represented by W. G. Crabbill of Anderson, Parker, Crabbill and Crumpler, while ex-Judge James L. Harmon of Elkhart appeared for the consumers of that city. Besides South Bend, Elkhart, Mishawaka, Goshen, Ligonier and other cities in the Valley were affected.

Company Seeks Increase.

The Indiana & Michigan Electric Co. had last petitioned for the rate increase which after a hearing before the public service commission was allowed on May 26, granting an increase of one-third of the raise that the utility petitioned for. The commission provided that the new rates should take effect June 1.

The various consumers by counsel and cities by city attorneys appealed from the decision of the state commission to the Elkhart superior court for a temporary injunction restraining the board from putting in the rate increase until the court can pass the merit of the rate increase petition.

The commission was represented by W. A. McInerny, counsel for the Indiana & Michigan, who appeared in behalf of the attorneys general of Indiana. Mr. McInerny contended that the court has no power to grant a temporary injunction, but Judge Hale ruled that the court did have the power inasmuch as the Indiana statutes differ from laws of other states in that the Indiana laws provide distinct injunctive relief, and that in such cases the inherent power rest in the court to grant a temporary injunction.

Held Order Illegal.

The petitioners to the superior court maintained that the commission order was illegal. They charged that it was contrary to the statute which provides that new rates shall not go into effect until 30 days after the new schedule is filed with the commission. The Elkhart court held that the commission exceeded its powers in ordering the rate to go into effect June 1, when the order entering an increased rate was made on May 25.

The utility commission through Mr. McInerny sought to justify its act by calling it an emergency order for rate increase, but again the court held that the rate petition did not indicate that it was issued under the emergency order under which they did not need 30 days before going into effect was not enable.

Temporary Restraining Order.

The final order of the court was that a temporary injunction should be granted at all events until 30 days from the date on which the order was issued by the commission and should be continued in effect until a final hearing unless the Indiana & Michigan Electric Co. should intercede the proceedings.

In this event, the utility must file a bond with surety to be approved by the court that it would refund to its consumers excess charges under the new rate if upon final hearing the new rates should be held unreasonable and unlawful.

The court further held that the consumers would not be required to give bond to secure this temporary restraining order inasmuch as the defendant was a public service commission, which had no pecuniary interest in the result of the outcome and whose expenses are paid by taxation of people as a coordinate branch of the government.

The record was put in shape by Mr. McInerny for an appeal to test the propriety of the rulings made by Judge Hale to fix a precedent and future guide in cases of this kind.

One of the arguments presented against the Indiana and Michigan Electric Co.'s petition for a rate boost was that the utility was furnishing light and power below cost to the Benton Harbor and St. Joseph, Mich., and the Michigan Gas & Electric Co., whereas it expected the St. Joseph valley (Indiana) consumers to pay a rate sufficient to bear a return of 8 percent net upon its entire investment.

MAY ACCEPT GOODS ON GERMANS' DEBTS

BERLIN, June 30.—The international guarantees commission has decided that Germany will only be asked to pay \$90,000,000 gold marks in money out of the second installment of two billion marks. It was announced here Thursday. The balance, which is due May 2, 1922, may be settled by payment in goods and from the proceeds of the export levy. German financiers Thursday expressed the hope that this would relieve Germany of the necessity of buying large amounts of foreign exchanges.

EUROPEAN POWERS TO ABANDON PRACTICES

WASHINGTON, June 30.—Centralized purchase of foodstuffs in American markets by European governments which has been considered by some as one factor in the fall of grain prices during the past 12 months, will be practically abandoned by August 1, according to information given to Soc'y of Commerce Hoover. On the basis of departmental statistics it was estimated that these countries would not consume more than 20 percent of the food exports of the United States.

Boosters for SOUTH BEND



NOTED SINGERS ON PROGRAM TONIGHT

Miss Ingram and Mr. McLean Retained for Second Day of Exposition.

"I really don't know what to do now," it came Miss Frances Ingram just before it said her turn to sing her first number at the Progressive exposition last night. It was the first time that Miss Ingram had appeared for such a performance, although her second time in South Bend. She appeared here in a concert six years ago.

Miss Ingram was one of the real active entertainers for the boys at the training camps during the war, and for seven months she toured the country appearing for concerts at camps hospitals and meeting places.

She will leave soon for the Pacific coast, where she has been engaged to sing at 20 concerts. She severed her connection with the Metropolitan Grand Opera Co. last April.

J. Cameron McLean leaves imminently after his concerts here for the east, where he will complete a program that has been arranged for him in New York. Mr. McLean came to this country from Scotland six months ago and holds the distinction of having won the Scottish National medal given every year to a winning singer in open competition. He is accompanied on the piano by Miss Mabell, well known in musical circles in New York.

Manager Black, who is in charge of the program at the exposition, said that both singers had been retained to sing again tonight, by popular request.

The heifer returned and later when she heard nothing from her husband she suspected that the physician had been bribed. She wrote the hotel at Toledo, giving the name of the doctor who administered treatment to her and who her husband said was the house physician. The hotel replied that it never had a doctor in its employ by such a name.

Vanderwyst's two children are aged four years and six months, respectively, Mr. Jellison said. He is legally married to her now, inasmuch as the annulment of the second marriage leaves him as though no ceremony had ever been performed.

Camp Knox is in the 35th corps district, which includes Indiana, Ohio, Kentucky and West Virginia. Men and boys between the ages of 15 and 18 are eligible to entrance at Camp Knox, which is one of several camps of the kind being established by the government throughout the country.

A. L. MacDonald, commander of the local American Legion post, has been placed in charge of Camp Knox activities here. Applicants for entrance to the camp will be supplied with any information they may desire by Mr. MacDonald.

Free to Registrants.

The purpose of the various camps, according to Col. Lee, is to give the men of the country an opportunity to obtain military training free. All of the applicant's expenses, including his transportation to and from the camp, will be borne by the government, according to Col. Lee.

The camps are to place the men of the country in condition to defend the nation in time of war. The national army has been reduced, and the government is now taking this method of preparedness for an emergency, according to officers.

HERE IN INTEREST OF TRAINING CAMP

Col. Lee Visits City in Behalf of Military School at Camp Knox, Ky.

Col. Fitzhugh Lee of the United States army, was in South Bend Thursday in the interest of the citizen's military training camp, established by the government at Camp Knox.

Camp Knox is in the 35th corps district, which includes Indiana, Ohio, Kentucky and West Virginia.

Men and boys between the ages of 15 and 18 are eligible to entrance at Camp Knox, which is one of several camps of the kind being established by the government throughout the country.

A. L. MacDonald, commander of the local American Legion post, has been placed in charge of Camp Knox activities here. Applicants for entrance to the camp will be supplied with any information they may desire by Mr. MacDonald.

Free to Registrants.

The purpose of the various camps, according to Col. Lee, is to give the men of the country an opportunity to obtain military training free. All of the applicant's expenses, including his transportation to and from the camp, will be borne by the government, according to Col. Lee.

The camps are to place the men of the country in condition to defend the nation in time of war. The national army has been reduced, and the government is now taking this method of preparedness for an emergency, according to officers.

Moon' Shines Not So Brightly Now For Paul Jonas

Cops Nab "Efforts" and Spell Disappointment to Alleged Home Brewer.

MABEL ANDERSON.

Mabel Anderson, 1017 E. Jefferson, died at Healthwin hospital at 10 P. M. Wednesday, of tuberculosis following an illness of one year.

Surviving are her parents, Mr. and Mrs. John Anderson of Sweden, also two brothers and one sister in Sweden.

The following brothers and sisters live in South Bend: H. J. Almer, Alfred, Esther and Lucille. The body may be viewed at the A. M. Russel chapel until 2 o'clock Friday. Funeral services will be held at the Swedish Gloria Del Lutheran church at 3 o'clock. Rev. A. G. Anderson officiating. The burial will be held in the city cemetery.

When the detail entered the Jonas residence no one was in sight and after scurrying the first floor of the place they made their way to the basement.

Cocked for Action.

It was there that things began to take shape. In a compartment fenced off in the corner of the cellar a "distillery" was discovered.

A 10-gallon capacity still was attached to a barrel condenser by means of a copper coil and everything, according to the police, was "cocked" for action.

The apparatus was dismantled by the detail and in another compartment bottled in mason jars of various sizes the moonshine was discovered.

One and a half gallons of it had been double distilled.

While the detail was loading the stuff in the "booth ambulance" to be taken to the station, the detailer was surprised at what was going on and offered no objections, submitting to arrest with becoming fatalism.

He will be arraigned in the city court this morning. The detail accompanying Sergt. Kozorowski included Detectives Delinski, Hamilton, Kish and Officer La Velle.

MICHAEL KELLY.

Michael Kelly, 78 years old, died Thursday morning at St. Joseph's hospital following an operation for kidney trouble. He is survived by his daughter, Mrs. Frank Green, 568 Lincoln Way W. Previous to retirement eight years ago Mr. Kelly was identified with the Philadelphia & Reading Railroad Co. He was born in Ireland in 1843.

Funeral services will be held Friday morning at 8 o'clock at St. Patrick's church. Burial will be in Holy Sepulchre cemetery, Philadelphia.

IONIA—Carl Burman and Carl Sayers.

Both 11, of Portland, are being held at the county detention center awaiting hearing on a charge of breaking into the Portland depot.

They confessed to taking 11 cent officers say, and admit entering a soap factory a few weeks ago, and a soft drink establishment a few

ASK LENIENCY FOR VANDERWYST; COURT CONSIDERING PLEA

State's Attorney Opposes Freedom For Alleged Bigamist.

Whether Edward Vanderwyst, alias Edward T. Case, 26 year old, alleged to have been guilty of bigamy, shall be given a suspended sentence for forgeries committed in South Bend, is a question that Judge Chester R. Montgomery is to decide.

Vanderwyst entered pleas of guilty when arraigned on forgery indictments returned against him by the grand jury. His counsel made a determined plea for suspension of sentence which carried a term of 2 to 14 years. Judge Montgomery continued the hearing in order to permit the introduction of additional evidence.

Married in Toledo.

Vanderwyst will be remembered, Pros. Jellison told the court in asking that no suspension be granted, as the man who forged checks in order that he might complete a honeymoon with Ruth Phillips.

He cashed the forged checks and took Miss Phillips and her mother to Toledo where he married Ruth. She returned to South Bend, having been taken ill on the journey, before she had lived with her husband.

Vanderwyst's father came to his son's rescue, paid back the money and the girl's marriage was annulled. This story together with character letters, the appearance of the young man's father in court, and a letter from a New York judge who had suspended sentence on the youth for like offense, were introduced to obtain leniency for the man.

Pros. Jellison, basing his information upon reports obtained by the Associated Charities, told the judge that Vanderwyst was first married under the name of Case, to a woman at Toronto, Ont., on May 2, 1914. He wedded her twice when two children were coming to them and forged checks to cover the expense of their advent the prosecutor said. He first met the girl at a Y. M. C. A. but she said.

Used Girl as Ruse.

Vanderwyst, following his arrest in Cleveland after the indictments were returned against him, sought to escape justice, Mr. Jellison said, by fighting extradition. This being accomplished, he was placed in the St. Joseph county jail. He forged the checks, one for \$275, another for \$50 and a third for \$156 and used Miss Phillips as a ruse to put them through the bank.

Mr. J. C. McLean.

Mr. J. C. McLean leaves immediately after his concerts here for the east, where he will complete a program that has been arranged for him in New York. Mr. McLean came to this country from Scotland six months ago and holds the distinction of having won the Scottish National medal given every year to a winning singer in open competition. He is accompanied on the piano by Miss Mabell, well known in musical circles in New York.

Manager Black, who is in charge of the program at the exposition, said that both singers had been retained to sing again tonight, by popular request.

The heifer returned and later when she heard nothing from her husband she suspected that the physician had been bribed. She wrote the hotel at Toledo, giving the name of the doctor who administered treatment to her and who her husband said was the house physician. The hotel replied that it never had a doctor in its employ by such a name.

Vanderwyst's two children are aged four years and six months, respectively, Mr. Jellison said. He is legally married to her now, inasmuch as the annulment of the second marriage leaves him as though no ceremony had ever been performed.

Camp Knox is in the 35th corps district, which includes Indiana, Ohio, Kentucky and West Virginia.

Men and boys between the ages of 15 and 18 are eligible to entrance at Camp Knox, which is one of several camps of the kind being established by the government throughout the country.

A. L. MacDonald, commander of the local American Legion post, has been placed in charge of Camp Knox activities here. Applicants for entrance to the camp will be supplied with any information they may desire by Mr. MacDonald.

Free to Registrants.

The purpose of the various camps, according to Col. Lee, is to give the men of the country an opportunity to obtain military training free. All of the applicant's expenses, including his transportation to and from the camp, will be borne by the government, according to Col. Lee.

The camps are to place the men of the country in condition to defend the nation in time of war. The national army has been reduced, and the government is now taking this method of preparedness for an emergency, according to officers.

COPS NAB "EFFORTS" AND SPELL DISAPPOINTMENT TO ALLEGED HOME BREWER.

MABEL ANDERSON.

Mabel Anderson, 1017 E. Jefferson, died at Healthwin hospital at 10 P. M. Wednesday, of tuberculosis following an illness of one year.

Surviving are her parents, Mr. and Mrs. John Anderson of Sweden, also two brothers and one sister in Sweden.

The following brothers and sisters live in South Bend: H. J. Almer, Alfred, Esther and Lucille. The body may be viewed at the A. M. Russel chapel until 2 o'clock Friday. Funeral services will be held at the Swedish Gloria Del Lutheran church at 3 o'clock. Rev. A. G. Anderson officiating. The burial will be at Bridge cemetery, Buchanan.

SHOOTING.

Mr. and Mrs. John Anderson, 1017 E. Jefferson, were shot at about 10:30 P. M. Wednesday night. The Andersons were shot in the head.

Anderson was shot in the head and died at Healthwin hospital.

Anderson was shot in the head and died at Healthwin hospital.

Anderson was shot in the head and died at Healthwin hospital.

Anderson was shot in the head and died at Healthwin hospital.

Anderson was shot in the head and died at Healthwin hospital.

Anderson was shot in the head and died at Healthwin hospital.

Anderson was shot in the head and died at Healthwin hospital.

Anderson was shot in the head and died at Healthwin hospital.

Anderson was shot in the head and died at Healthwin hospital.

Anderson was shot in the head and died at Healthwin hospital.

Anderson was shot in the head and died at Healthwin hospital.

Anderson was shot in the head and died at Healthwin hospital.

Anderson was shot in the head and died at Healthwin hospital.

Anderson was shot in the head and died at Healthwin hospital.